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**FEB 22 2005**

In re Application of  
McGee, et al.  
Application No. 10/770,887  
Filed: February 2, 2004  
Attorney Docket No. TT5556  
FOR: MEMORY DEVICE AND METHOD  
OF MANUFACTURE

**OFFICE OF PETITIONS**

: ON PETITION

This is a decision on the petition under 37 CFR 1.10(c), filed December 23, 2004, requesting that the above-identified application be accorded a filing date of February 2, 2004.

The Office originally accorded the above-identified application a January 30, 2004 filing date. Petitioners filed numerous requests to correct the filing date to February 2, 2004, which was the date the application was deposited in U.S. Express Mail Service.

Office records indicates that the Office of Initial Patent Examination mailed a corrected filing receipt showing **February 2, 2004** as the filing date for the above-identified application on February 1, 2005.

As the filing date has already been corrected, the petition under 37 CFR 1.10(c) is **dismissed as moot**. No petition fee has been or will be charged.

The application will be forwarded to Technology Center 2800 for examination in due course.

Telephone inquiries concerning this matter should be directed to the undersigned at (571)272-3230.

E. Shirene Willis  
Senior Petitions Attorney  
Office of Petitions  
Office of the Deputy Commissioner  
for Patent Examination Policy